

Service Date: June 6, 1988

FINAL ORDER NO. 5852

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-9212
WESTERN MONTANA SERVICES, INC. DBA)	
AIRPORT SHUTTLE, Missoula, Montana)	
for a Certificate of Public Conven-)	ORDER NO. 5852
ience and Necessity.)	

BACKGROUND

1. On February 29, 1988, Western Montana Services, Inc., dba Airport Shuttle, 1719 Dearborn, Suite 1A, Missoula, Montana 59801, filed an application under Title 69, MCA, with the Montana Public Service Commission for a Certificate of Public Convenience and Necessity authorizing the transportation of passengers and personal baggage, Class B, between all points in Missoula, Ravalli and Lake Counties.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public April 6, 1988. That notice said in pertinent part:

If no written protests are received by April 26, 1988, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed by Beach Transportation Co.,

Missoula, Montana, and Yellow Cab Co., Missoula, Montana. The docket was noticed for public hearing on May 3, 1988.

4. A public hearing was held May 25, 1988, in the University Center, University of Montana, Missoula, Montana. At this hearing, all parties to Docket T-9212 stipulated to a grant of the following authority to the applicant: Class B - Passengers and personal baggage between all points in Missoula, Ravalli and Lake Counties. Limitations: 1. Transportation must originate or terminate at Missoula County Airport. 2. Transportation is limited to utilization of vehicles with rated seating capacity of ten (10) passengers or less. 3. Transportation charges must be based on individual passenger fares only; charter transportation is prohibited.

5. All protests to the docket were withdrawn.

6. The record of this application is available for inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the

authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena, Montana, on the 6th day of June, 1988, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-9212, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of WESTERN MONTANA SERVICES, INC., DBA AIRPORT SHUTTLE, Missoula, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent: Class B - Passengers and personal baggage between all points in Missoula, Ravalli and Lake Counties. Limitations: 1. Transportation must originate or terminate at Missoula County Airport. 2. Transportation is limited to utilization of vehicles with rated seating capacity of ten (10) passengers or less. 3. Transportation charges must be based on individual passenger fares only; charter transportation is prohibited.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public

Service Regulation of the State of Montana, Public Service
Commission, IN OPEN SESSION at Helena, Montana, this 6th day of
June, 1988, by a vote of
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BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Vice Chairman

JOHN B. DRISCOLL, Commissioner

DANNY OBERG, Commissioner

TOM MONAHAN, Commissioner

ATTEST:

Carol A. Frasier
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.